

REMARKS

Status of Claims:

Claims 1-27, 29, 31-34, 36, 37, 39, 40, 46-66 and 68-69 have been cancelled without prejudice or disclaimer. Thus, claims 28, 30, 35, 38, 41-45, 67, and 70-78 are present for examination.

Claim Rejection under 35 U.S.C. 112, first paragraph:

Claims 32-34, 36, 37, 39 and 40 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. While applicant traverses this rejection at least for reasons as expressed in the Amendment filed on March 24, 2005, for purposes of expediting the allowance of the application with the currently allowed claims, Applicant has cancelled claims 32-34, 36, 37, 39 and 40 without prejudice or disclaimer. Applicant reserves the right to continue to prosecute similar claims and claims directed to the same subject matter as the rejected claims, for example, in a further Continuation or other related application.

Accordingly, in view of the cancellation of claims 32-34, 36, 37, 39 and 40, the rejection of claims 32-34, 36, 37, 39 and 40 under 35 U.S.C. 112, first paragraph, is moot.

Applicant notes with appreciation, the Examiner's statement that claims 28, 30, 35, 38, 41-45, 67 and 70-78 are allowable. Those claims remain in the application, in their allowed form. As those allowed claims are the only claims remaining as pending in the present application, it is submitted that the present application is in condition for allowance.

Conclusion:

For reasons as discussed above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application:

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Date: October 16, 2006

FOLEY & LARDNER LLP

Customer Number: 23392

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

Respectfully submitted,

By: 

Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933